

MISSOURI HIGHWAYS AND TRANSPORTATION COMMISSION

Official Minutes

August 12, 2005

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**MINUTES OF REGULARLY SCHEDULED HIGHWAYS AND
TRANSPORTATION COMMISSION MEETING HELD IN
MARYVILLE, MISSOURI, ON FRIDAY, AUGUST 12, 2005**

A regularly scheduled meeting of the Missouri Highways and Transportation Commission held on Friday, August 12, 2005, in Maryville, Missouri, was called to order at 9:30 a.m. by Marjorie B. Schramm, Chairman. The following Commissioners were present: Bill McKenna, Vice Chairman, James B. Anderson, Duane S. Michie, Mike Kehoe, and David A. Gach.

The meeting had been called pursuant to Section 226.120 of the 2000 Revised Statutes of Missouri, as amended. The Secretary verified that notice of the meeting was posted in keeping with Section 610.020 of the 2000 Revised Statutes of Missouri, as amended.

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Pete Rahn, Director of the Missouri Department of Transportation, Rich Tiemeyer, Chief Counsel for the Commission; and Mari Ann Winters, Secretary to the Commission, were present on Friday, August 12, 2005.

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*"Department" or "MoDOT" herein refers to Missouri Department of Transportation.
"Commission" or "MHTC" herein refers to Missouri Highways and Transportation Commission.*

CLOSED MEETING

The agenda of the closed meeting was posted in keeping with Sections 610.020 and 610.022, RSMo., including the following statutory citations allowing the meeting to be closed:

1. Section 610.021(11), (12) – Specifications for competitive bidding, sealed bids, or negotiated contracts.
2. Section 610.021(1) – Legal actions and attorney-client privileged communications.
3. Section 610.021(3), (13) – Personnel administration regarding particular employees.

Immediately prior to closing its meeting, and upon motion by Commissioner Michie, seconded by Commissioner McKenna, to convene in closed session, the Chairman asked for a voice vote of the members. The vote was as follows:

Commissioner Schramm, Aye
Commissioner McKenna, Aye
Commissioner Michie, Aye
Commissioner Anderson, Aye
Commissioner Kehoe, Aye
Commissioner Gach, Aye

whereupon the Commission closed its meeting.

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DAVID A. GACH QUALIFIED AS A MEMBER OF THE MISSOURI HIGHWAYS AND TRANSPORTATION COMMISSION

On July 28, 2005, Governor Matt Blunt announced the appointment of David A. Gach of St. Joseph to the Missouri Highways and Transportation Commission for a term ending March 1, 2011, or until his successor is duly appointed and qualified, vice Wallace S. Hartsfield, term expired.

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**RESOLUTION CONGRATULATING
NORTHWEST MISSOURI STATE UNIVERSITY
FOR 100 YEARS OF OUTSTANDING SERVICE AND
EXPRESSING APPRECIATION FOR ITS SUPPORT OF MISSOURI'S
TRANSPORTATION PROGRAMS**

The Commission unanimously adopted the following resolution, and the Chairman presented a framed copy thereof to Mary Ann Lowary, Vice President of University Relations and Chair of the Centennial Committee for Northwest Missouri State University.

WHEREAS, Northwest Missouri State University was created in 1905; and

WHEREAS, in the 100 years following its creation, Northwest Missouri State University has academically prepared thousands of students from the local region, from throughout Missouri, from throughout the United States, and from more than 50 nations; and

WHEREAS, Northwest Missouri State University has a culture of quality that is reflected by the credentials and character of its faculty and administrative staff; evident by its curriculum; instilled in its students; and affirmed by the Missouri Quality Award; and

WHEREAS, Northwest Missouri State University provides an exceptional learning environment by applying information technology to improve learning processes; and

WHEREAS, Northwest Missouri State University contributes to the community and the environment as the official Missouri State Arboretum; and

WHEREAS, Northwest Missouri State University enhanced the vista of Missouri's Highway System through implementation of the beautification project at the intersection of Highways 71 and 136, and through its active student and faculty support of MoDOT's litter pickup programs; and

WHEREAS, Northwest Missouri State University supported the Route 71 four-lane project from "ground-breaking" to "ribbon-cutting;" and

WHEREAS, Northwest Missouri State University worked with MoDOT to save at-risk high school students through *Upward Bound* by coordinating job sharing and mentoring with MoDOT engineers; and

WHEREAS, Northwest Missouri State University welcomed the Missouri Highways and Transportation Commission to its campus and graciously hosted the Commission meeting on August 12, 2005;

NOW, THEREFORE, LET IT BE RESOLVED that the Highways and Transportation Commission does hereby express appreciation to Northwest Missouri State University for its

support of transportation improvements in Missouri and congratulate this distinguished and honorable university on a century of exceptional academic success and outstanding achievement.

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**APPROVAL OF MINUTES, REGULARLY SCHEDULED
HIGHWAYS AND TRANSPORTATION COMMISSION MEETING,
JULY 8, 2005**

Upon motion by Commissioner Michie, seconded by Commissioner McKenna, the Commission unanimously approved the minutes of its July 8, 2005, regularly scheduled meeting. The Chairman and Secretary to the Commission were authorized and directed to sign and certify said minutes and to file same in the office of the Secretary.

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CONSENT AGENDA

Consent Agenda Process

In order to make the most efficient use of Commission meeting time and to ensure the Commission members are well informed on issues requiring their action, the staff prepares and submits to the Commission members, in advance of their meeting, internal memoranda consisting of advice, opinions, and recommendations related to the items on the Commission meeting agenda. Those items considered by the staff to be of a routine or noncontroversial nature are placed on a consent agenda. During the meeting, items can be removed from the consent agenda at the request of any one Commission member. The items that are not removed from the consent agenda are approved with a single motion and unanimous vote by a quorum of the members.

Minutes reflecting approval of items on the consent agenda are singly reported herein and intermingled with minutes reflecting action on related subjects that were openly discussed. Reference to "consent agenda" is made in each minute approved via the process described in the paragraph above. Minutes reflecting action on items removed from the consent agenda and

openly discussed reflect the open discussion and vote thereon.

Consideration of August 12, 2005, Consent Agenda

No items were removed from the August 12, 2005, consent agenda. Upon motion by Commissioner Anderson, seconded by Commissioner McKenna, all items on the consent agenda were unanimously approved.

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ELECTION OF MEMBER TO MISSOURI TRANSPORTATION FINANCE CORPORATION

Upon motion by Commissioner Michie, seconded by Commissioner Anderson, the Commission elected Commissioner Kehoe to the Missouri Transportation Finance Corporation by acclamation.

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APPOINTMENT OF MEMBER TO LEGISLATIVE COMMITTEE

Chairman Schramm appointed Commissioner Gach to serve as a member of the Commission's Legislative Committee. Other members of the Legislative Committee are Chairman Schramm and Vice Chairman McKenna.

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REPORTS OF COMMISSION COMMITTEES AND COMMISSION RELATED BOARDS

The Commission has two committees: Audit Committee and Legislative Committee. In addition, it elects Commission representatives to two boards: Missouri Transportation Finance Corporation Board of Directors and MoDOT and Patrol Employees' Retirement System Board of

Trustees. The following committee/board reports were made during the August 12, 2005, meeting.

Legislative Committee – Commissioner McKenna reported that the Joint Committee on Transportation Oversight had met recently in Jefferson City. During that meeting, Director Rahn provided an update on MoDOT’s Smooth Road Initiative and Kevin Keith provided an update on the practical design concept. Chairman Schramm and Vice Chairman McKenna attended the meeting.

Commissioner McKenna noted that the President had signed a new transportation bill earlier in the week and Director Rahn reported briefly on the staff’s analysis of the bill to date. Director Rahn commended Missouri’s Congressional delegation for its diligent efforts on the state’s behalf. As a result of those efforts, he anticipated that a greater percentage of federal dollars would be returned to Missouri than in past years.

Director Rahn estimated that the federal funds coming to Missouri as a result of the formula distribution would average \$862 million per year. Of the \$862 million, he was unsure of whether obligation limitations would be applied, as has historically occurred. He said the Federal Highway Administration and the Congressional delegation are working closely with MoDOT to determine the actual dollars that will be forthcoming.

Director Rahn pointed out that the federal bill included 72 projects in Missouri that are earmarked for a total of \$361 million. Since these earmarked funds are included in the \$862 million, it results in additional restrictions on the funds received through the formula. However, he emphasized that the Congressional delegation had worked closely with the MoDOT pertaining to earmarked projects, which resulted in the projects being consistent with those that had been included in the 2006-2010 Statewide Transportation Improvement Program (STIP) based on the staff’s federal revenue assumption of 3 percent growth per year. He emphasized that while part of the increase in federal funds had already been included in the STIP, without the increases, MoDOT would have been searching for alternate means to pay for the STIP projects.

Director Rahn estimated that MoDOT would have approximately \$30 million in unanticipated federal funds. Those federal dollars will have restrictions, such as interstate maintenance, research, and planning. However, the net result is more dollars for roadway improvements.

Director Rahn said in addition to the formula funds referenced above, approximately \$275 million was included in the bill for “discretionary” (above the formula) earmarked projects. In addition, \$25 million had been included for a non-motorized project in Columbia, and \$410 million had been earmarked for specific transit projects.

Commissioner Anderson expressed appreciation to Senator Kit Bond for his leadership on the transportation bill. He also observed that Senator Bond had commended MoDOT staff members Jay Wunderlich, Director of Governmental Affairs, and Ken Van Landuyt, Federal

Government Liaison, for the assistance they provided to his staff as the federal bill was being drafted and debated.

Commissioner Michie also expressed pleasure with enactment of the federal bill, but noted that Senator Bond had cautioned Missourians that further investment must be made in Missouri's transportation system to address the many outstanding needs.

MoDOT and Patrol Employees' Retirement System Board of Trustees – Commissioner Anderson reported that the MoDOT and Patrol Employees' Retirement System Board of Trustees had met on July 28, 2005. He reported the following:

- The investment performance of the retirement system funds was 11.55 percent for the 2005 Fiscal Year. Several revisions were made to the investment policy.
- A Strategic Plan to guide the retirement system was approved.
- Comments provided to the Missouri State Government Review Commission, primarily regarding proposed consolidation of the MoDOT and Patrol Employees' Retirement System and the Missouri State Employees' Retirement System were discussed.
- The draft State Auditor's four-year audit of the retirement system was reviewed.
- The administrative budget was approved.
- The Retirement System will celebrate its 50th anniversary in September 2005.

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DELEGATION REQUESTING IMPROVEMENT OF MISSOURI'S SUPPLEMENTARY SYSTEM

Representative Brad Lager commended the Commission and MoDOT staff on their new direction.

Representative Lager noted that MoDOT was aggressively addressing 2,200 miles of roadway as a part of its Smooth Roads Initiative; however, he expressed concern with the condition of Missouri's lettered routes, particularly in Northwest Missouri. He stated that the Commission had accompanied him on a tour of Route H the previous day to see first-hand the condition of the roadway surface and shoulder conditions.

Representative Lager stated that the current level of investment in Missouri's lettered routes in Northwest Missouri would result in a one-inch overlay every 30 years, which will not properly maintain the roadways. He emphasized that the lettered routes were not designed or

built for the tractor-trailer loads being carried on them today. He encouraged the Commission to begin discussions now in order to develop a plan for addressing the needs on Missouri's lettered routes.

Representative Lager thanked the Commission for traveling outside of Jefferson City to hold its meetings and offered his assistance to the Commission and MoDOT staff regarding transportation matters.

The Commission thanked Representative Lager for hosting the Commission in Maryville and agreed that a plan must be identified to improve all routes in Missouri, including the lettered routes.

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PRESENTATION BY NORTHWEST MISSOURI REGIONAL COUNCIL OF GOVERNMENTS

Nancy Thomson, Executive Director of the Northwest Missouri Regional Council of Governments, reported that MoDOT's new planning framework process for selecting major projects provided local areas with insight from a statewide perspective. She expressed appreciation on behalf of regional planning commissions for being included in the major project selection process.

Ms. Thomson reported that the Northwest Missouri Regional Council of Governments also participates as a team member on the Blueprint for Safety effort and the Missouri Advance Planning (MAP) process. She noted that Missouri's open planning process, which involves Missouri citizens, is a model for other states.

The Commission thanked Ms. Thomson for her comments. Commissioner McKenna expressed appreciation to elected officials in Northwest Missouri for their interest in, and support of, transportation issues.

Commissioner Anderson expressed appreciation for Ms. Thomson's positive comments, which indicates that MoDOT's new planning framework process is, in fact, resulting in transportation decisions being made in the most appropriate manner.

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PUBLIC COMMENTS

Richard Landes, Maryville

Mr. Richard Landes relayed the following concerns which, he indicated, resulted in wasted highway user funds.

He said as a result of a new school being constructed on Route V, it was determined that a signal should be constructed at the intersection of Route V and Business Route 71. He said after construction of the improvements at the intersection, school buses could not negotiate a left turn from Route V to Route 71 northward. The work at the intersection had to be redone.

A second example of waste reported by Mr. Landes involved the intersection of Route 71 and Business Route 71. He said the design of the intersection would not allow a tractor-trailer to make a left turn from Business Route 71 onto Route 71 northward. As a result a traffic light had to be installed.

Mr. Landes relayed his concern about the lack of bicycle signing in the Maryville area. He said at one time signs had been erected, subsequently taken down for road construction, and then re-erected in the wrong locations. He said further bicycle trails need to be designated.

Director Rahn encouraged Mr. Landes to work with the local planning organizations in order to secure federal enhancement funds for development of bicycle trails; he will investigate the other issues presented and respond to Mr. Landes.

Larry Reidlinger, Conception Junction

Mr. Larry Reidlinger of Conception Junction expressed concern with the condition of Route 136. He asked that the roadway be widened and resurfaced and a new bridge constructed at Wildcat Creek. He also expressed support of the position expressed by Representative Lager regarding the need to improve lettered routes in Northwest Missouri.

Chief Engineer Kevin Keith stated that Route 136 is a major route in the area. He reported that while a lot of work has been done on the roadway; future work is schedule to be done as resources will allow.

Lee Langerock, Nodaway County Economic Development, Maryville

Ms. Lee Langerock, representing Nodaway County Economic Development, expressed appreciation to the Commission for coming to Maryville to hear the transportation concerns of the people in Northwest Missouri. She asked the Commission to consider improvements to Route 136, the lettered routes, and the local airport.

Ms. Langerock pointed out the industries in Maryville highlighting the need for increased usage of the Maryville airport. She noted that area roadways are used heavily by people commuting to work, students at Northwest Missouri State University, and trucks transporting farm products.

Ms. Langerock thanked the Commission for its continued support of the Off-System Bridge Replacement Program.

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**MEDICAL AND LIFE INSURANCE PLAN
FUNDING FOR CALENDAR YEAR 2006**

On behalf of the Board of Trustees for the Medical and Life Insurance Plan, Jeff Padgett, Chairman, requested funding necessary to provide benefits for Medical Plan members in Calendar Year 2006.

Mr. Padgett recommended that the Commission increase its contribution to the Medical and Life Insurance Plan based upon the actuarial recommendations provided by Watson Wyatt and the objectives of the Medical and Life Insurance Plan Board of Trustees. As a result of absorbing an estimated \$4.2 million increase in its contribution, the Commission would contribute approximately \$66 million (\$49.9 million for MoDOT and \$16.1 million for the State Highway Patrol). There would be no out-of-pocket increase for active employees or retirees. Mr. Padgett reported that most of the other state agencies charge some amount to the active employees; however, the amount the Commission provides for each employee is substantially less than that provided by the Consolidated Plan.

Mr. Padgett reviewed cost-saving benefit enhancements to become effective on January 1, 2006, and future plan benefits under consideration by the Medical and Life Insurance Board.

Commissioner Anderson praised the efforts of Mr. Padgett, the Medical and Life Insurance Board, and the MoDOT staff for its success in increasing the funding stability of the plan.

Upon motion by Commissioner Michie, seconded by Commissioner Kehoe, the Commission, by unanimous vote of all members present, approved the recommendation.

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2006-2010 STATEWIDE TRANSPORTATION IMPROVEMENT PROGRAM AMENDMENT

Chief Engineer Kevin Keith reported that the residents of Macon, Marion, Monroe, and Shelby Counties had passed an initiative to allow the local area to participate in the cost of upgrading the 52-mile section of Route 36 extending from Macon to Hannibal to a four-lane facility. As a result, Mr. Keith recommended the Commission add this project to the 2006-2010 Statewide Transportation Improvement Program (STIP), which will allow the project to be completed by the end of 2010. Once completed, Route 36 will feature four lanes across northern Missouri, thereby increasing safety and the potential for economic development.

Director Rahn explained that the newly enacted federal transportation bill had \$45 million earmarked funding for the Route 36 project: \$38 million were within the formula of funds that would have come to Missouri in any event, but must now be used on the Route 36 project; \$7 million were additional dollars to Missouri. The \$7 million is being credited to the local area's share of the project.

Upon motion by Commissioner Anderson, seconded by Commissioner Michie, the Commission approved the recommendation. Former Commissioner Tom Boland was present at the meeting and expressed appreciation to the Commission and MoDOT staff for their involvement in, and support of, this project.

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MEMORANDUM OF UNDERSTANDING, STATE TREASURER

On behalf of the Director, Roberta Broeker, Acting Chief Financial and Administrative Officer, recommended approval of a contract with the Office of the State Treasurer to provide

certain extraordinary services for MoDOT primarily related to debt financing activities, including disbursements of debt service payments and the coordination of investments in light of new, more complicated cash flow patterns. These services are in addition to the ordinary cash handling services the Treasurer provides MoDOT and other state agencies.

Via approval of the consent agenda, the Commission unanimously approved the recommendation, subject to approval as to form by the Chief Counsel's Office.

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EMPLOYMENT RECRUITMENT SERVICES CONTRACT

On behalf of the Director, Micki Knudsen, Human Resources Director, recommended approval of contracts with Gerald Plock and Associates, Perfect Personnel, Quest Management Consultants, and The Mercer Group, Inc., to provide recruiting services to fill selected leadership positions at the executive, business unit, functional unit, and district engineer levels, and other management level positions when appropriate. The contracts will be valid for one year from the date of execution, with the contract period extendable at MoDOT's discretion for two additional one-year periods. The cost of each search will not exceed 25 percent of the salary of the position being filled plus expenses.

Via approval of the consent agenda, the Commission unanimously approved the recommendation, subject to approval as to form by the Chief Counsel's Office.

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TEMPORARY ABSORPTION OF COUNTY ROADS DURING CONSTRUCTION, COUNTY ROADS 630 AND 631, MARIES COUNTY

On behalf of the Director, Dave Nichols, Director of Program Delivery, recommended

approval of the temporary absorption of County Roads 630 and 631 in Maries County into the state highway system while Route DD, Maries County, is closed to replace the bridge over the Little Maries River. The Commission will return responsibility of the county roads to Maries County upon completion of the bridge replacement project. Before responsibility is returned, the Department will ensure the condition of the roads are in the same or better condition as when the roads were absorbed.

Via approval of the consent agenda, the Commission unanimously approved the recommendation.

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UPDATE STATE DESIGNATED HIGHWAY SYSTEM FOR WIDER AND LONGER VEHICLES

On behalf of the Director, Jan Skouby, Motor Carrier Services Director, recommended approval of the following route designations to allow wider and longer commercial motor vehicle traffic without the need for an overdimension/overweight permit to further improve the efficient movement of goods in and through Missouri. This designation does not allow vehicles to exceed legal weight limits.

- U. S. Route 71 (U. S. 71) from the junction of Interstate 435 to the junction of Interstate 70 in Jackson County.
- U. S. Route 160 (U. S. 160) from the junction of U. S. 71 to the Kansas State Line in Barton County.
- U. S. Route 60 (U. S. 60) from the junction of State Route 59 in Newton County to the junction of State Route 37 in Barry County which will connect the already designated portions of U. S. Route 60 to the east and west.

Via approval of the consent agenda, the Commission unanimously approved the recommendation.

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KINGSMILL TRANSPORTATION DEVELOPMENT DISTRICT, APPOINTMENT OF AN ADVISOR AND APPROVAL OF THE PROJECT

On behalf of the Director, Ed Hassinger, District 6 Engineer, and Roberta Broeker, Acting Chief Financial and Administrative Officer, presented the Kingsmill Transportation Development District proposed transportation projects, which are:

1. **Route K and Crusher Drive Intersection:** This project will improve the existing intersection of Route K and Crusher Drive and make said intersection a full-access signalized intersection with a 200-foot right-turn deceleration lane. (\$60,000)
2. **Construction of Extension of Crusher Drive:** This project will construct an extension of Crusher Drive from Route K to Technology Drive. (\$1,275,000)
3. **Technology and Crusher Drive Intersection:** This project will create a full-access curb-cut at Technology Drive and Crusher Drive including certain widening improvements on the subject property associated with the proposed construction of a roundabout at the intersection by the adjacent property owner. (\$125,000)
4. **Route K and Colter Trail Drive Intersection:** This project will create a full-access entrance/exit between Route K and Colter Trail Drive with a 200-foot right-turn deceleration lane. (\$40,000)
5. **Route K Bike Trail:** This project will construct a six-foot wide multipurpose trail along Route K. (\$25,000)

A portion of the transportation project will be built on Commission right-of-way and be merged into the state highway system as a part of Route K; therefore, the Commission has a direct interest in the state portion of the proposed project.

The Development District will fund the costs of the project through the imposition of a sales tax pursuant to the Development District Act. The Commission has no financial participation in the project.

Via approval of the consent agenda, the Commission unanimously (1) appointed the District 6 St. Charles County Area Engineer as the Commission advisor to the Kingsmill Transportation Development District's board of directors and (2) found that the Commission's portion of the project is a necessary and desirable extension of the state highways and transportation system, subject to the Development District making any revisions in the plans and

specifications required by the Commission and subject to the Development District entering into a mutually satisfactory agreement with the Commission regarding development and future maintenance of the project.

In keeping with the Commission's Delegation of Authority to Execute Documents, the Director, Chief Engineer, or respective business unit director may execute the related agreements.

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**WENTZVILLE II TRANSPORTATION DEVELOPMENT DISTRICT,
APPOINTMENT OF AN ADVISOR AND APPROVAL OF THE PROJECT**

On behalf of the Director, Ed Hassinger, District 6 Engineer, and Roberta Broeker, Acting Chief Financial and Administrative Officer, presented the following Wentzville II Transportation Development District proposed transportation projects:

1. Widen May Road to three lanes beginning at Interstate 70 and extending the THF Way.
2. Widen Wentzville Parkway to five lanes between Interstate 70 and West Pearce Boulevard.
3. Widen approximately 1,500 of West Pearce Boulevard to three lanes, east of May Road.
4. Construct road improvements related to vehicular access and traffic flow within the boundaries of the District.

A portion of the transportation project will be built on Commission right-of-way and be merged into the state highway system; therefore, the Commission has a direct interest in the state portion of the proposed project.

The Development District will fund the costs of the project through the imposition of a sales tax pursuant to the Development District Act. The Commission has no financial participation in the project.

Via approval of the consent agenda, the Commission unanimously (1) appointed the District 6 St. Charles County Area Engineer as the Commission advisor to the Wentzville II Transportation Development District's board of directors and (2) found that the Commission's portion of the project is a necessary and desirable extension of the state highways and transportation system, subject to the Development District making any revisions in the plans and specifications required by the Commission and subject to the Development District entering into a mutually satisfactory agreement with the Commission regarding development and future maintenance of the project.

In keeping with the Commission's Delegation of Authority to Execute Documents, the Director, Chief Engineer, or respective business unit director may execute the related agreements.

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**MEDICAL AND LIFE INSURANCE PLAN,
APPOINTMENT OF BOARD MEMBER**

On behalf of the Director, Jeff Padgett, Manager of Employee Benefits, Chairman, Medical and Life Insurance Plan Board of Trustees, recommended approval of the appointment of Captain Sandra Karsten as a Missouri State Highway Patrol employee representative to the Board of Trustees to fill the unexpired term of Captain Terry Moore, who is retiring. Captain Karsten will serve until May 2010, or until a successor is named.

Via approval of the consent agenda, the Commission unanimously approved the recommendation.

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CONSIDERATION OF BIDS ON FEDERAL-AID AND STATE PROJECTS

Award of Contracts July 22, 2005, Bid Opening

On behalf of the Director Dave Nichols, Director of Program Delivery, stated that bids for road and bridge improvement projects had been received on July 22, 2005.

Mr. Nichols presented a tabulation of the bids received on all projects and recommended awards be made to the lowest responsive and responsible bidder noted below.

<u>Route County Project</u>	<u>Bid Amount Plus 2% for Contingencies</u>	<u>Non- Contractual Costs</u>	<u>Contractor</u>
Call 301 79 Lincoln J3P0745	\$296,111.82	\$144.00	G & M Concrete & Asphalt Co., Inc. Troy, MO
Call 302 19 Montgomery/ Gasconade J3P0584B	33,472,889.26	836.14	Jenson Construction Company Des Moines, IA
Call 401 291 Jackson J4D0500P 78 Jackson J4D0500Q 7 Jackson J4D0500R 40 Jackson J4D0500S	4,258,221.47	3,280.00	APAC-Kansas, Inc. Kansas City Division Overland Park, KS
Call 402 24 Jackson J4U1125	8,761,613.54	1,267.44	APAC-Kansas, Inc. Kansas City Division Overland Park, KS

Call 403 210 Clay J4D0500F	994,314.82	656.00	APAC-Kansas, Inc. Kansas City Division Overland Park, KS
Call 404 45 Platte J4D0500M	116,694.51	656.00	Penhall Company Anaheim, CA
Call 405 24 Jackson J4S1751	272,090.41	72.00	Keith Contracting, L.L.C. Columbia, MO
Call 406 50 Johnson J4P1726	559,838.74	656.00	St. Joseph Fuel Oil & Manufacturing Co. St. Joseph, MO
Call 407 70 Jackson/Lafayette/Saline J4M0151	85,108.72		Interstate Road Management Corp. Hazelton, PA
Call 501 54 Cole/Miller J1D0690E	791,190.21	656.00	APAC-Missouri, Inc. Columbia, MO
Call 601 170 & 141 St. Louis J6I1882	264,125.39		L. Krupp Construction, Inc. Ellisville, MO
Call 602 30 Jefferson J6S1696	1,809,758.79	656.00	APAC-Missouri, Inc. Columbia, MO
Call 603 141 Jefferson/St. Louis J6D0600F	5,446,798.98	1,312.00	Pace Construction Company St. Louis, MO

Call 604			
100	1,779,900.00	656.00	Pace Construction
St. Louis			Company
J6D0600J			St. Louis, MO
Call 605			
370	3,501,346.03	1,312.00	Penhall Company
St. Charles/St. Louis			Anaheim, CA
J6D0600Q			
Call 606			
70	47,152.56	72.00	R. V. Wagner, Inc.
St. Louis City			St. Louis, MO
J6I1769			
Call 801			
65	9,886,437.89	1,640.00	APAC-Missouri, Inc.
Taney			Columbia, MO
J8P0609B			
65			
Taney			
J8P0716			
Call X01			
61	4,854,590.55	2,624.00	Apex Paving Co.
Cape Girardeau			Cape Girardeau, MO
J0D0600J			
K			
Cape Girardeau			
J0D0600K			
Call X03			
Bus. 67	1,589,160.00		Pace Construction
Butler			Company
J0D0600I			St. Louis, MO
Total	<u>\$78,787,343.69</u>	<u>\$16,495.58</u>	

Construction speed limits conform to the standard work zone speed limits shown on Standard Drawing No. 616.10 as approved by the Commission.

Authority to Reject Bids

Mr. Nichols advised the Commission that bids were received July 22, 2005, for the following projects and recommended the bids be rejected because they were considered excessive.

<u>Route</u>	<u>County</u>	<u>Project</u>
Call X02		
62	Scott	J0D0600M
Call X04		
55	Scott	J0I0907
K and M	Scott	J0D0600L

Concurrence in Award of Contract

Mr. Nichols recommended the Commission concur with the State of Illinois Department of Transportation in awarding the following contract to the low bidder listed below.

<u>Route</u>	<u>County</u>	<u>Project</u>	<u>Description</u>	<u>Bid</u>	<u>Bid</u>	<u>Contractor</u>
				<u>Opening Date</u>	<u>Amount</u>	
I-270			Bridge Rehab.	June 17, 2005	\$59,525*	Keeley & Sons, Inc.
Section 60B-I-7				State of Illinois		#5 Loisel Village
St. Louis Co., MO,						Shopping Center
Madison Co., IL						P.O. Box 837
Job No. C-98-053-05						E. St. Louis, IL
Program No. 0-00835-8001						
Contract No. 76894						
*MoDOT is responsible for \$29,762.50 + 10% for Construction Engineering (\$32,738.75)						

Commission Action

After consideration and upon motion by Commissioner McKenna, seconded by Commissioner Michie, the Commission took the following action.

1. Awarded contracts to the lowest responsive and responsible bidders for bids received on July 22, 2005, as recommended and noted above, and authorized an additional two percent of the contract amount for contingencies. The Commission approved the allocation of funds covering the non-contractual costs for these projects as indicated on the above tabulation.
2. Rejected the bids on Calls X02 and X04.

3. Concurred with the State of Illinois in the award of the bridge rehabilitation project on I-270, St. Louis County, as noted in the tabulation above.

Commissioner McKenna abstained from voting on Call No. 603.

In keeping with the Commission's Delegation of Authority to Execute Documents, the Director, Chief Engineer, or Director of Program Delivery may execute the contracts awarded above.

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**ADMINISTRATIVE RULES,
NOTICE OF EMERGENCY AND PROPOSED RULEMAKING,
7 CSR 10-24, DESIGN BUILD PROJECT CONTRACTS**

On behalf of the Director, Dave Nichols, Director of Program Delivery, presented emergency and permanent rules 7 CSR 10-24.010 through 7 CSR 10-24.413 to enable MoDOT to pursue design-build project contracts on appropriate projects. This proposed emergency rulemaking will accelerate MoDOT's use of statutory design-build authority to expedite the improvement of important highways for public safety and welfare.

Mr. Nichols recommended the emergency and proposed rulemaking be approved and the Secretary of the Commission be authorized to file the rulemaking with the Joint Committee on Administrative Rules and the Office of the Secretary of State. He further recommended the Director, Chief Engineer, or Chief Financial and Administrative Officer be authorized to execute any document appropriate to initiate this rulemaking process.

Via approval of the consent agenda, the Commission unanimously approved the recommendations.

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**ADMINISTRATIVE RULES,
EMERGENCY AND PROPOSED AMENDED RULEMAKING,
INTRASTATE DECAL REQUIREMENTS FOR COMMERCIAL MOTOR VEHICLES,
7 CSR 265-10.020 LICENSING OF VEHICLES**

On behalf of the Director, Jan Skouby, Motor Carrier Services Director, presented Emergency and Proposed Amended Administrative Rules 7 CSR 265-10.020 Licensing of Vehicles, which eliminates additional licensing requirements for regulatory fees. Motor carriers who have interstate licenses will not be required to display a second license on their vehicles.

Ms. Skouby recommended the emergency and proposed rulemaking be approved and the Secretary to the Commission be authorized to file the rulemaking with the Joint Committee on Administrative Rules and the Office of the Secretary of State. She further recommended the Director, Chief Engineer, or Chief Financial and Administrative Officer be authorized to execute any document appropriate to initiate this rulemaking process.

Via approval of the consent agenda, the Commission unanimously approved the recommendations.

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**CAPITAL IMPROVEMENT PROPERTY,
DISPOSAL OF WENTZVILLE MAINTENANCE FACILITY,
ST. CHARLES COUNTY**

On behalf of the Director, Ed Hassinger, District 6 Engineer, stated the Wentzville Maintenance lot, containing 4.38 acres and improvements located thereon, is held in fee simple title. He recommended approval of a property exchange agreement, and subsequent conveyance on the Wentzville Maintenance lot, with THF, Inc., (the abutting owner) and the City of Wentzville. THF, Inc., will construct a new facility, to MoDOT specifications, on the City property in exchange for the Wentzville Maintenance site.

The Department views this move as an opportunity to advance economic development in the area, improve operations with the assistance of a new facility and allow future improvements to Interstate 70 by eliminating the need for the existing access to our current facility.

Via approval of the consent agenda, the Commission unanimously approved the recommendation.

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**CAPITAL IMPROVEMENT PROPERTY,
DISPOSAL OF MILLWOOD MAINTENANCE SITE,
LINCOLN COUNTY**

On behalf of the Director, Kirk Juranas, District 3 Engineer, stated the former Millwood Maintenance site is held in fee simple title and is no longer needed due to a maintenance site consolidation. The site included 3.0 acres and improvement and is located on the south side of Route E, one mile west of Millwood, Lincoln County. In response to advertising the property for sale, three sealed bids were received. Mr. Juranas recommended conveyance to the high bidder, Mick Mehler and Sons, Inc., for \$85,175.50.

Via approval of the consent agenda, the Commission unanimously approved the recommendation.

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**DISPOSAL OF EXCESS PROPERTY,
ROUTE 47, WARREN COUNTY**

On behalf of the Director, Kirk Juranas, District 3 Engineer, recommended conveyance of Excess Parcel No. E3-0273, Route 47, Warren County, for \$151,900 to Stanley B. Newmark, the only abutting owner. The 0.277-acre subject parcel, which was acquired as an uneconomic remnant, is held in fee simple title and is considered to be non-stand alone.

Via approval of the consent agenda, the Commission unanimously approved the recommendation.

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**DISPOSAL OF EXCESS PROPERTY,
ROUTE 152/I-29, PLATTE COUNTY**

On behalf of the Director, Beth Wright, District 4 Engineer, recommended conveyance of Excess Parcel No. E4-024, on Route 152/I-29, Platte County, to Leural, Inc. (the only abutting owner), in exchange for the Commission receiving \$3 million worth of land and roadway improvements from Zona Rosa Development, LLC. The 1.777-acre subject parcel, which was acquired as Route 152 right-of-way, is held in less than fee simple title, and is considered non-stand alone. The property is no longer needed.

Via approval of the consent agenda, the Commission unanimously approved the recommendation.

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**DISPOSAL OF EXCESS PROPERTY,
ROUTE I-55, JEFFERSON COUNTY**

On behalf of the Director, Ed Hassinger, District 6 Engineer, recommended conveyance of 0.23 acre of land, Excess Parcel No. E6-855, located in the southwest quadrant of I-55 and Imperial Main Street in the unincorporated Imperial area of Jefferson County to Imperial Grove, LLC, (the only abutting owner) for the consideration of \$69,475.

Via approval of the consent agenda, the Commission unanimously approved the recommendation.

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CHANGE IN ACCESS, BREAK IN ACCESS, ROUTE 180, ST. LOUIS COUNTY

On behalf of the Director, Ed Hassinger, District 6 Engineer, recommended approval of a request from Simos Real Estate, LLC, to construct a 24-foot entrance located at the easterly right-of-way line opposite Station 431+69 on Route 180, St. Louis County. The proposed entrance is a nonarterial driveway that will be constructed solely to accommodate a retail business. Mr. Hassinger recommended the Commission authorize a break in limited access to accommodate the entrance and approve a Break in Limited Access Agreement with Simos Real Estate, LLC, with \$15,000 compensation due the Commission for the change.

Via approval of the consent agenda, the Commission unanimously approved the recommendation.

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ROADWAY LOCATION AND/OR DESIGN APPROVAL

On behalf of the Director, the District Engineers informed the Commission that preliminary plans and exhibits for the following projects were presented at a public hearing.

Route 50, Moniteau/Cole Counties Job Nos. J5P0631A and J5P0632A

Public Hearings Held June 14, 2005, and June 15, 2005

The proposed improvement provides for relocating 17 miles of Route 50 from St. Martins to west of California. The design includes a four-lane highway (12-foot lanes with 4-foot inside and 6-foot outside shoulders) to west of Route 87 and continuing with two 12-foot lanes and two 10-foot shoulders around the south side of California. This includes purchasing right-of-way for future four lanes. Construction will take place in two phases. The first phase includes constructing a new four-lane highway from St. Martins to near Route K in Moniteau County. The second phase includes constructing a four-lane highway from near Route K to west of Route 87 and a two-lane highway from west of Route 87 to west of California. This project has controlled access right-of-way. There will be

minimal traffic disruption, as much work will take place along new alignment. This project is 17 miles in length.

Mr. Roger Schwartze, District 5 Engineer, recommended approval of the location and design as presented at the public hearing.

**Route 60, Howell/Shannon Counties
West of Route U to East of Route V in Howell County
East of Route V in Howell County to Howell/Shannon County Line
Howell/Shannon County Line to East of Route DD in Shannon County
Public Hearings Held July 7, 2005, and July 14, 2005**

The proposed improvement provides for a four-lane divided highway with 12-foot lanes, 4-foot inside shoulders and 10-foot outside shoulders, outside the City of Mountain View. In most areas two new lanes will be constructed and the existing roadway will be used in place. In one location, four new lanes will be constructed to correct deficiencies in existing Route 60. Through the City of Mountain View, the existing roadway will be widened and converted to an undivided four-lane highway with 12-foot lanes, 10-foot shoulders, a 10-foot flush median, and turn lanes in certain locations. This project is controlled access right-of-way. The project is 37.7 miles in length.

Mr. Tom Stehn, District 9 Engineer, recommended approval of the design as presented at the public hearing.

After full consideration of the favorable and adverse economic, social, and environmental effects of the recommended designs, the Commission, via approval of the consent agenda, unanimously found and determined the recommended designs would best serve the interest of the public and approved the recommendation.

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RATIFICATION OF APPROVAL OF RIGHT OF WAY PLANS FOR CONDEMNATION

On behalf of the Director, Dave Nichols, Director of Program Delivery, recommended the Commission ratify the Chief Engineer's approval of the following right of way plans, which have been filed for condemnation.

<u>County</u>	<u>Route</u>	<u>Job Number</u>	<u>Date Commission Approved Design</u>
Buchanan	H	J1S0809	December 7, 2001
Buchanan	A	J1S0808	December 7, 2001
St. Charles	DD	J6S1528	*
St. Louis City	I-64	J6I0985I	*
Stone	13	J8P0452D	May 4, 2001

* No hearing required – Fewer than 5 parcels affected

In accordance with Section 227.050 RSMo, the Commission, via approval of the consent agenda, approved the right of way plans for the above noted projects and directed they be filed as necessary for the condemnation of right of way.

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--REPORTS--

**MoDOT BUDGET COMPARISON
FISCAL YEAR 2005**

Roberta Broeker, Acting Chief Financial and Administrative Officer, presented the MoDOT Budget Comparison Report for Fiscal Year 2005 with budget and prior year comparisons. Expenditures slightly exceeded revenues and fund balances are less than the same period in the prior fiscal year. MoDOT is operating within budget and maintaining adequate fund balances to meet bonding covenants.

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By unanimous vote of all members present, the meeting of the Commission was adjourned.

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